

May-07-03 08:56am From-HOGAN & HARTSON

T-752 P.001/002 F-585

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TO: Ethan Whisenant

DATE: 5/7/2003

FROM: Sarah O'Rourke

TIME: 9:29 AM

TOTAL NO. OF PAGES, INCLUDING COVER: 2

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CLIENT NUMBER: 80148.0212.002

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REJECTION OVER A PRIOR PATENT**Docket Number (Optional)
XTR004 CIP

In re Application of:

Name: John Gerdes, et al.

Application Number: 09/944,604

Filed: August 31, 2001

For: **NUCLEIC ACID ARCHIVING**

The owner Xtrana, Inc., of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,291,166. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

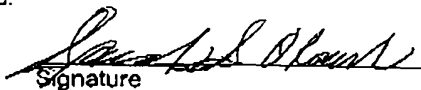
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Application Number 	Application No. 09/944,604	Applicant(s) GERDES ET AL.	

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